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MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, May 12, 2020 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street and via Electronic Teleconference. *The public may access the meeting by calling US: +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 Members of the public are welcome to participate in the Public Comment segments, Webinar ID: 850 0347 9728 Password: 594034

The following members were present:

Chairman Sherry Wickstrom
Member Hal Goodman
Member Fields Scarborough
Member Nicole Northrup
Member Jamie Daniels

The following members were absent:

Also present at the meeting:

Melissa Dickerson, Planner
Becky Breiholz, Town Clerk

Chairman Wickstrom called the meeting to order at 6:00 pm and a roll call was conducted by Chair Wickstrom (who was physically present) and Members Scarborough, Northrup and Daniels were also present physically and Member Goodman was present by teleconference.

SUBJECT: Adoption of Agenda as presented or amended. Amend the agenda to add request from Old Town Creamery to review site plan for temporary structure under new business.

MOTION: Member Northrup seconded by Member Goodman to adopt the agenda as amended by adding review of Old Town Creamery under new business was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Nays: None. Absent: None.

SUBJECT: Approval of Minutes Regular Meeting March 10, 2020.

MOTION: Member Northrup seconded by Member Scarborough to approve the minutes as presented was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Nays: None. Absent: None.

PUBLIC COMMENTS- Because of technical issues the speakers were unable to be heard. The speakers were requested to email their comments to mdickerson@manteonc.gov and those will be included in the minutes. Public Comments was postponed until later in the meeting so staff could receive the emails.

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MOTION: Member Goodman seconded by Member Daniels to postpone public comments and move to the end of new business so emails could be received was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Nays: None. Absent: None.

NEW BUSINESS

SUBJECT: Discussion and consideration of addition to the Dare County Social Services and Health Services Building which will connect the two buildings together removing the courtyard. Planner Melissa Dickerson commented that Doug Chesson from AR Chesson Construction, who are managing this project is on the call to field any questions you may have. Staff recommend approval of this application pending additional technical review. We received confirmation from the County that our building inspector will be conducting the inspections on this building so he will need to review these plans (again) with the County's Fire Marshal. Our utilities superintendent has reviewed the plans and is satisfied with the updated information

MOTION: Member Daniels seconded by Member Goodman to approve the site plan for Dare County Social Services and Health Services Building pending additional technical review was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Nays: None. Absent: None.

SUBJECT: Discussion of text amendment for Boat lifts. The Town's zoning ordinance prohibits boat lifts in marinas in Section 12-7(a)(2). Mrs. Dickerson reported that the current ordinance was passed on March 5, 2008. This item has been sent to you from the Board of Commissioners. There is an individual who owns a slip in Marshes Light who would like to install a boat lift. Currently, our ordinance prohibits boat lifts in marinas and the Marshes Light covenants also restrict boat lifts. Mrs. Dickerson noted that PA Policy 3 of the Land Use Plan states "New parks and open spaces should be sited and designed to maintain the town's natural edge, protect fragile areas, improve water quality, preserve views to public trust waters and be in keeping with Manteo's historic character.

The Board of Commissioners will hold a public hearing on this matter on June 17th. If you all chose to do so, the calendar allows for you to hold a public hearing as well.

Consensus of the Planning Board is to schedule a public hearing June 9, 2020.

MOTION: Member Daniels seconded by Member Goodman to schedule a public hearing for June 9, 2020 was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Nays: None. Absent: None.

SUBJECT: Discussion and consideration of request from Old Town Creamery to allow for a temporary tent. This week, we received a request from Bill Zottoli who owns Old Towne Creamery. Mr. Zottoli has requested to place a tent on the lawn of the

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business so that he can provide window service only (keeping customers outside) and provide appropriate socially distant tables underneath the tent. Because the request was received within the 21-day submittal window, I determined that it would go on your June agenda. However, now that visitors will be allowed entry into Dare County on May 16th, I think it is better that Mr. Zottoli's matter be considered at your May meeting. The reason why this is a Planning Board matter is because I do not have the authority according to the ordinance to approve a temporary structure. Tents for weddings and such are required to be removed within 72 hours. The fire code regulates tents and as long as the tent is in place less than 180 days, it is deemed a temporary structure. If the structure is in place for 181 days, it is required to meet building code standards. Because Mr. Zottoli wants to keep this tent up for the season, that would be less than 180 days, so it is determined to be a temporary structure.

The applicant provided 2 drawings of 2 sites, one for a 20 x 20 tent and one for a 20 x 40 tent. Member Daniels wanted to know what kind of precedent this would set, and Mrs. Dickerson commented that as long as she receives applications, she will bring them to the Planning Board for approval as that is what the ordinances guides her to do. Member Northrup commented that it is important to support the businesses and not impose too many hardships on them but would like some type of wording that when the crisis is over with it needs to be removed within a certain time frame; she also asked if this would impede the view from Ananias Dare and Highway 64. After discussion the consensus was to allow for a 20 x 20 tent and it can only be up for the maximum of 180 days or once the restriction has been lifted of social distancing of 6 feet that it be removed within 14 days whichever comes first

MOTION: Member Daniels seconded by Member Northrup to approve the temporary 20 x 20 tent structure for a maximum of 180 days or 14 days after the restriction of 6 feet social distancing has been lifted whichever comes first was approved by the following roll call vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Nays: None. Absent: None.

PUBLIC COMMENTS

Mrs. Dickerson stated she has received 3 emails.

Sarah Benson: Agona Street – Email states:

Recently I took a drive around our Town and found that most of the boat lifts are located in Pirates Cove and there is one in Marshes Light marina which I understand is an exception to the ordinance. Other parts of our island have boat lifts such as Heritage Point community on the north end of the island and private residence/property.

Would this new text amendment be a revenue source?

No, based upon information I have received from the Town, boat lifts would not be a sustainable revenue source since it is a one-time permit fee.

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What is the history of the ordinance and what do some of our townspeople think of the current ordinance?

It seems as if after talking with people about the history of the ordinance and what people think about boat lifts that the major reason we have this ordinance in place is to protect the visual beauty of our town boardwalk system--one of our greatest treasures.

I would offer for your consideration, that our Town Boardwalk would not be a place to have boat lifts. These mechanical structures would detract from our waterfront and the view that a walker would have enjoying our Town. For this reason, I would not support the text amendment for boat lifts on the Town Boardwalk system.

Eddie Mann-Town of Manteo Commissioner email states:

1. Boat lifts could add value to property for added tax revenue for the town.
2. It would be a way that boat owners could protect their property and possibly decrease dock damage due to a boat being more secure and out of the water.
3. My understanding is that lifting the boat lift restriction would only affect marinas, such as Shallowbag Bay club, Marshes Light, etc. and if those HOA's have restrictions that do not allow boat lifts then this would not supersede any HOA rules, it would just allow the HOA's the ability if they choose.
4. It may make marinas that choose to have boat lifts more attractive to residents, visitors, potential investors.

To be clear I do not have any investment in any marinas, I'm simply trying to be a conduit for boat owners that live in marinas that have expressed this concern.

Bob Keeney 342 Fernando-email states:

I would like to support the holding of a future Public Hearing on amending the boat lift regulations. This hearing would provide a full opportunity to all residents to voice their opinions on whether boat lifts in private marinas are a benefit that they would like to utilize in the future. Thank you.

OLD BUSINESS:

SUBJECT: Update on Chapter 160 D-Mrs. Dickerson reported the legislature passed and the Governor signed Session Law 2020-3 on May 4, 2020. The law changes the required date of compliance from January 1, 2021 to August 1, 2021. We have made some updated budget recommendations but kept the zoning compliance funding in the Planning Department's budget so we can begin this work in the new fiscal year that begins on July 1, 2020.

BOARD COMMENTS

Member Daniels asked about the current situation with illegal signage and Mrs. Dickerson commented that she is expecting guidance on that soon.

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Member Goodman commented on the technology not working for this meeting.

MOTION: Member Goodman seconded by Member Scarborough to adjourn at 7:07 pm was approved by the following vote: Ayes: Chairman Wickstrom and Members Scarborough, Goodman, Northrup, and Daniels. Nays: None. Absent: None

This the 12th day of May 2020.


Sherry Wickstrom, Chairman

ATTEST:


Becky Westbrook, Town Clerk



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